



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10
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OFFICE OF
COMPLIANCE AND ENFORCEMENT

Reply To: OCE

FEB - 8 2011

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James Cagle, Risk Manager - EHS
Nu-West Industries, Inc.
Agrium Conda Phosphate Operations
3010 Conda Road
Soda Springs, Idaho 83276

Re: Extension of Time for performance – Consent Order Paragraph No. 129
Administrative Order on Consent for Nu-West CPO Facility
Docket No. RCRA-10-2009-0186

Dear Mr. Cagle:

Per our discussion this morning and in accordance with Paragraph No. 129, an extension of time of one calendar week is hereby added to the project schedule due dates identified in the Sampling and Analysis Work Plan for Site Characterization Nu-West Industries, Inc. Conda Phosphate Operations Soda Springs, Idaho, dated June 29, 2010. This is in addition to the extension granted to Nu-West by letter from EPA dated January 27, 2011.

I look forward to receiving the list of interim deliverables of reports, data, technical submissions, and dates upon which Nu-West can commit to providing in advance of the Site Assessment Report and Supplemental Work Plan, consistent with my letter dated December 20, 2010.

If you have any questions, please do not hesitate to call. Questions from legal counsel should be addressed to Andrew Boyd. Thank you.

Sincerely,

Peter Magolske

cc: P. Scott Burton, Esq.
Hunton and Williams LLP

Brian Monson
Idaho Department of Environmental Quality

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